

# Vinson&Elkins

James A. Reeder, Jr. jreeder@velaw.com  
Tel +1 713 758 2202 Fax +1.713 615 5947

April 11, 2013

## CM/ECF

Honorable Richard D. Bennett  
United States District Court  
District of Maryland  
Garmatz Federal Courthouse  
101 West Lombard Street, 5D  
Baltimore, Maryland 21201

RE: *In re Titanium Dioxide Antitrust Litigation*, Case No: 1:10-CV-00318-RDB

Dear Judge Bennett:

I write on behalf of all of the Defendants in the above-referenced matter. At the hearing on March 4, the Court asked counsel for the parties to communicate with each other in an effort to agree upon a schedule for the briefing of the Motion to Amend Class Definition. Regrettably, the parties have reached an impasse and require the assistance of the Court to finalize the schedule.

Defendants believe that they can gather the supporting materials for the motion to amend the class definition by April 18. Defendants also believe that procedurally, we must file the motion to amend before moving for summary judgment. Plaintiffs are concerned that they will have to brief this motion and the motion for summary judgment simultaneously, but that of course is the inevitable result of their earlier argument that resolution of this motion should await the expiration of the opt out period, which the Court accepted. We have tried to accommodate their concern by offering them nearly a month to respond to this motion and we are still willing to do that.

Defendants intend to file the motion on or before April 18. Defendants request that the Court set a briefing schedule for the Motion to Amend Class Definition as follows:

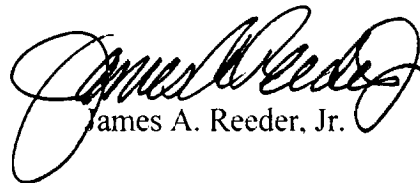
Motion to be filed by April 18  
Response to be filed by May 13  
Reply to be filed by May 28

V&F

April 11, 2013 Page 2

Counsel for Defendants are available to discuss this issue should the Court desire it.

Respectfully submitted,



James A. Reeder, Jr.

cc: All Counsel of Record (*via e-mail*)